

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

TRACBEAM, L.L.C.,

Plaintiff,

vs.

AT&T INC., *et al*,

Defendant.

CASE NO. 6:11-cv-96 (LED)

**Jury Trial Demanded**

TELECOMMUNICATION SYSTEMS,  
INC.,

Plaintiff,

vs.

TRACBEAM, L.L.C.,

Defendant.

CASE NO. 6:12-cv-58 (LED)

**Jury Trial Demanded**

**Joint Motion to Dismiss without prejudice claims and counterclaims between TracBeam,  
MetroPCS, and TCS**

Plaintiff TracBeam, LLC (“TracBeam”), Defendants MetroPCS Communications, Inc. and MetroPCS Wireless Inc. (collectively, “MetroPCS”), and Plaintiff/Consolidated Defendant TeleCommunication Systems, Inc. (“TCS”) respectfully move the Court to dismiss without prejudice (1) TracBeam’s claims and counterclaims against MetroPCS and TCS and (2) the claims and counterclaims asserted by TCS and MetroPCS against TracBeam in the above-captioned cases.

The parties further move that each party shall bear its own costs, expenses, and attorneys' fees.

Dated: June 13, 2013

Respectfully submitted,

By: /s/ Jeff Eichmann

John Jeffrey Eichmann

(admitted to practice before the U.S. District Court for the Eastern District of Texas)

CA State Bar No. 227472

Email: jeff@dovellaw.com

(admitted to practice before the U.S. District Court for the Eastern District of Texas)

**DOVEL & LUNER, LLP**

201 Santa Monica Blvd., Suite 600

Santa Monica, CA 90401

Telephone: 310-656-7066

Facsimile: 310-657-7069

***Attorneys for TracBeam, LLC***

/s/ E. Glenn Thames, Jr.

E. Glenn Thames, Jr.

E. Glenn Thames, Jr.

Texas Bar No. 00785097

glennthames@potterminton.com

**POTTER MINTON, P.C.**

110 N. College Avenue, Suite 500

Tyler, Texas 75702

Telephone: 903-597-8311

Facsimile: 903-593-0846

Edward A. Pennington (*pro hac vice*)

Stephanie D. Scruggs (*pro hac vice*)

Siddhesh V. Pandit (*pro hac vice*)

**SMITH, GAMBRELL & RUSSELL, LLP**

1055 Thomas Jefferson Street, N.W.

Suite 400

Washington, D.C. 20007

Telephone: 202-263-4300

Facsimile: 202-263-4348

epennington@sgrlaw.com

sscruggs@sgrlaw.com

spandit@sgrlaw.com

***Attorneys for Defendants***

***MetroPCS Communications, Inc. and***

***MetroPCS Wireless, Inc.***

***Attorneys for Consolidated Defendant***

***TeleCommunication Systems, Inc.***

**CERTIFICATE OF SERVICE**

I hereby certify that counsel of record who are deemed to have consented to electronic service are being served this 13<sup>th</sup> day of June 2013, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ Jeff Eichmann

John Jeffrey Eichmann